

**4119. Misbranding of "S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy." U. S. v. The S. Grover Graham Co. Plea of guilty. Fine, \$25. (F. & D. No. 5992. I. S. No. 369-e.)**

On May 21, 1915, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the S. Grover Graham Co., a corporation, Newburgh, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about October 25, 1912, from the State of New York into the State of Illinois, of a quantity of "S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy" which was misbranded. The product was labeled: (On carton) "Copyright secured S. Grover Graham Celebrated Dyspepsia and Heartburn Remedy for Dyspepsia, Heartburn, Gastritis, Waterbrash, Fermentation of Food, Ulceration or Threatened Cancer of the Stomach, and all disorders arising from an impaired digestive system. (Trade Mark) Ais-Pep-Syd (Dyspepsia Reversed) Keep in a Cool and Dark Place. This valuable preparation is offered to the public for the correction and immediate relief of the above diseases The Symptoms of which are burning pain in the stomach with tenderness on pressure, distension and uncomfortable sense of fullness after eating, with belching of wind; gnawing and weak feeling in stomach before meals; coated tongue and foul breath; frequently palpitation of the heart. See literature and testimonials enclosed Directions on bottle. Price One Dollar. Prepared By The S. Grover Graham Co. Incorporated Newburgh, New York. New Style Carton Adopted Feby. 1901." (On back of carton) "Copyright Secured S. Grover Graham Remedy for Dyspepsia and Heartburn (Trade Mark) Ais-Pep-Syd (Dyspepsia Reversed) Guaranteed by the S. Grover Graham Co. Under the Pure Food and Drugs Act, June 30, 1906. Serial No. 205. Alcohol 6%. Hydrochlorate of morphia 7/192nds of a Grain to the ounce. Chloroform 7/12ths of a drop to the ounce. A remedy for Dyspepsia, Heartburn, Gastritis, Fermentation of the Food. Ulceration of or threatened Cancer of the Stomach, and all disorders arising from an impaired Digestive System. The only Alcohol that is contained in this remedy is what is used in making the Essence of Peppermint, and Tincture of Ginger, similar to the proportions used in making Essence of Vanilla and Lemon for domestic purpose. 'Chlorodyne' (without the Cannibis Indica), which has been universally recognized as a family medicine for the past forty years, constitutes the only anodyne entering into this preparation containing, therefore, but 7/192nds of a grain of the Hydrochlorate of Morphia, and 7/12ths of a drop of Pure Chloroform (Chloroform Water used) to the ounce, making in the entirety so small a proportion of either as to render it almost impossible to average intelligently the quantity to the teaspoonful, but being less opiate than is contained in a minimum dose of Paregoric or any family cough medicine. This wonderful remedy has cured and is curing thousands of cases throughout the United States. See enclosed endorsements. Prepared by The S. Grover Graham Co. Incorporated Newburgh, New York, U. S. A. New Style Carton Adopted Feby. 1901." (On sides of carton) "The Great Food Digester Dyspepsia & Heartburn Remedy." (On top flap) "Graham's Butternut Pills for the correction of Habitual Constipation. They act as an Intestinal Tonic. Specially prepared for use with this Remedy. By mail, 25 cents, or at drug store where this bottle was purchased." (On bottle) "S. Grover Graham Remedy for Dyspepsia, Heartburn, Gastritis, Ulceration or Threatened Cancer of the Stomach, and all disorders of Digestive Organs. Guaranteed under the Pure Food and Drug Act June 30th, 1906. Serial No. 205. Alcohol 4%. Hydrochlorate of Morphia 7/192 of a grain to the ounce. Chloroform 7/12 of a drop to the ounce. The only

anodyne used in this preparation is Chlorodyne which has been universally recognized as a family medicine for the past forty years, containing in this Dyspepsia Remedy but 7/192ds of a grain of Hydrochlorate of Morphia and 7/12ths of a drop of pure Chloroform (Chloroform Water used) to the ounce, and constituting less opiate than is contained in a small dose of paregoric or many family medicines. Directions: First shake the bottle thoroughly until the powder that is precipitated at the bottom of the bottle is well mixed. Then take a large tablespoonful of the mixture after meals, three times a day. The best results are obtained by delaying, when possible, the taking of the remedy one hour after meals, or when unpleasant symptoms commence to manifest themselves. A little water may be added if so desired. If the Dyspepsia pains or Heartburn is present or threatens at any time during the day or night, a dose should be taken. Patients may commence on smaller dose if stomach is weak. For full directions, as to diet, etc, etc, etc, see enclosed circular. Keep bottle well corked. Prepared by The Grover Graham Co., Newburgh, N. Y." (Blown in bottle) "S. Grover Graham Dyspepsia Remedy Newburgh, N. Y. U. S. A." The pamphlet or circular accompanying the product contained, among other things, the following statements: "From all parts of the United States come hundreds of unsolicited testimonials, verifying the claim made that the Grover Graham Dyspepsia Remedy, prepared from the McDermott European formula, is beyond dispute or contradiction a remedy for all forms of Stomach disorder, no matter how chronic or severe it may be. A brief review of the many letters published in this periodical, will demonstrate that there have been a great many other persons cured by our preparation in Paterson, and undoubtedly there are many cases that we have not heard from. Its beneficial effect is immediate, and relief instantaneous and when it is convenient the 'Old Dyspeptic' can bid defiance to fear and hesitancy when a good dinner is placed before him." "I feel that I would not do you justice if I did not tell you what your Dyspepsia Remedy had done for me. In January, four years ago, was taken with a dull pain in my heart, and shortness of breath, and had the best doctors with me that could be got. They pronounced my case Heart Trouble and said it was only a question of time how long I would live as there was no cure for my disease, but they did all they could for me. My life was a burden to me, but in June I saw an advertisement in the Leaf Chronicle, published in Clarksville, Tenn., concerning your Dyspepsia Remedy, and I got a 50c bottle, and was greatly relieved of my trouble before I had taken it all up. I finished two more bottles, and was a new man. I shall praise your Dyspepsia Remedy as long as I live, and I have not had any trouble with my heart for three months, and I feel almost assured that I am all right. I want all to know what your medicine did for me.—W. T. Vaughn, Indian Mound, Tenn." "I am a Spanish War veteran, and suffered for years with what the doctors called Cancer of the Stomach, and kept all the time taking drugs ordered by the doctors, and then started to take every kind of medicine that was on the market for Dyspepsia but everything I tried did not do me any good. One day I heard of your remedy and I thought I would try it because I tried everything that I heard of for Dyspepsia, and to my surprise I found I was getting better. If you had seen me before I began taking S. G. G. Remedy, and had noticed the sunken eyes, sallow complexion and general emaciation, and compared that person with me as I am to-day, robust, hearty and well, you would not wonder that I feel thankful to you and your wonderful medicine, which restored me to new life and health, and saved me from an awful operation. I am well known and popular in Brooklyn for the past twenty-eight years.—John M. Mills, 92 Wykoff

St., Brooklyn, N. Y." "A druggist from Virginia writes, 'I could have more confidence in your remedy for Dyspepsia (it is a good seller) if you did not claim that it would cure Cancer of the stomach, which is an impossibility.' We make no such claim, our literature states 'Threatened Cancer of the Stomach.' There are undoubtedly a number of cases of stomach disorder so severe in their character as to be diagnosed Cancer by the doctors in attendance. Included in our list of testimonials will be found a number who state that their physician said they had Cancer of the Stomach, and were actually cured by our preparation. We believe, however, that owing to the wonderful soothing qualities of our remedy, it will prove more beneficial than any other preparation in such cases, and lengthen the life of the person so afflicted. The proprietors do claim that their preparation is a remedy for all diseases arising from a disordered stomach. Until its introduction dyspepsia and kindred ailments baffled the skill of all physicians."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Nonvolatile matter (per cent)-----	15.58
Ash (per cent)-----	8.37
Sodium bromid (per cent)-----	2
Sodium bicarbonate (per cent)-----	6.71
Magnesium carbonate (per cent)-----	2.17
Sugar (per cent)-----	4.27
Chloroform (minims per fluid ounce)-----	22
Alcohol (per cent by volume)-----	2.54
Morphine, oil of peppermint: Present.	
Calcium and potassium salts: Present.	
Pepsin: Absent.	

The remainder of the product is water.

Misbranding of the product was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On carton) "\* \* \* Remedy for \* \* \* Gastritis, \* \* \* Ulceration or Threatened Cancer of the Stomach, and all disorders arising from an impaired digestive system. \* \* \* This valuable preparation is offered to the public for the correction and immediate relief of the above diseases \* \* \* The Great Food Digester \* \* \*" (On bottle) "\* \* \* Remedy for \* \* \* Gastritis, Ulceration or Threatened Cancer of the Stomach, and all disorders of Digestive Organs," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for gastritis, ulceration, or threatened cancer of the stomach and all disorders arising from an impaired digestive system, and effective as a food digester; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for gastritis, ulceration, or threatened cancer of the stomach, or all disorders arising from an impaired digestive system, or effective as a food digester. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of said article, included in the circular or pamphlet aforesaid, to wit, "From

all parts of the United States come hundreds of unsolicited testimonials, verifying the claim made that the Grover Graham Dyspepsia Remedy, prepared from the McDermott European formula, is beyond dispute or contradiction a remedy for all forms of Stomach disorder, no matter how chronic or severe it may be. A brief review of the many letters published in this periodical will demonstrate that there have been a great many other persons cured by our preparation in Paterson, and undoubtedly there are many cases that we have not heard from. Its beneficial effect is immediate, and relief instantaneous and when it is convenient the 'Old Dyspeptic' can bid defiance to fear and hesitancy when a good dinner is placed before him. A druggist from Virginia writes, 'I could have more confidence in your remedy for Dyspepsia (it is a good seller) if you did not claim that it would cure Cancer of the stomach, which is an impossibility.' We make no such claim, our literature states 'Threatened Cancer of the Stomach.' There are undoubtedly a number of cases of stomach disorder so severe in their character as to be diagnosed Cancer by the doctors in attendance. Included in our list of testimonials will be found a number who state that their physician said they had Cancer of the Stomach, and were actually cured by our preparation. We believe, however, that owing to the wonderful soothing qualities of our remedy, it will prove more beneficial than any other preparation in such cases, and lengthen the life of the person so afflicted. The proprietors do claim that their preparation is a remedy for all diseases arising from a disordered stomach. Until its introduction dyspepsia and kindred ailments baffled the skill of all physicians," were false and fraudulent in that the same were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, as a remedy for all forms of stomach disorder, no matter how chronic or severe it may be, and effective for preventing threatened cancer of the stomach, and effective for giving relief in cases of cancer of the stomach and lengthening the life of the person so afflicted, and effective as a remedy for all diseases arising from a disordered stomach; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, as a remedy for all forms of stomach disorder, or effective for preventing threatened cancer of the stomach, or effective for giving relief in cases of cancer of the stomach and lengthening the life of the person so afflicted, or effective as a remedy for all diseases arising from a disordered stomach. Misbranding was alleged for the further reason that the following statements regarding the therapeutic or curative effects of said article, included in the circular or pamphlet aforesaid, to wit, "I am a Spanish War veteran, and suffered for years with what the doctors called Cancer of the Stomach, and kept all the time taking drugs ordered by the doctors, and then started to take every kind of medicine that was on the market for Dyspepsia but everything I tried did not do me any good. One day I heard of your remedy and I thought I would try it because I tried everything that I heard of for Dyspepsia, and to my surprise I found I was getting better. If you had seen me before I began taking S. G. G. Remedy, and had noticed the sunken eyes, sallow complexion and general emaciation, and compared that person with me as I am to-day, robust, hearty and well, you would not wonder that I feel thankful to you and your wonderful medicine, which restored me to new life and health, and saved me from an awful operation. I am well known and popular in

Brooklyn for the past twenty-eight years. John M. Mills, 92 Wykoff St., Brooklyn, N. Y.," were false and fraudulent in that they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective for the relief of cancer of the stomach; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective for the relief of cancer of the stomach.

On May 26, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$25.

CARL VROOMAN, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *December 20, 1915.*